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UNCLAS STATE 105173

E.O. 12958: N/A
TAGS: KNNP IR MNUC PARM

SUBJECT: IMPLEMENTING UN SECURITY COUNCIL RESOLUTIONS ON IRAN

¶1. (U) This is an action request. Please see paragraph 4.

¶2. (U) OBJECTIVE: To reaffirm the importance of implementing all UN Security Council resolutions (UNSCRs) adopted on Iran following the adoption of UNSCR ¶1835.

¶3. (U) BACKGROUND: On Saturday, 27 September 2008, the UN Security Council adopted resolution 1835 by consensus. This resolution reaffirmed the requirements of each of the resolutions adopted by the UN Security Council to date and called upon Iran to abide by its UNSC obligations, IAEA Board of Governors' requirements, and the provisions of the Treaty on the Nonproliferation of Nuclear Weapons (NPT) without further delay. The text of the resolution is contained in paragraph 5. The adoption of this resolution also demonstrated to Iran that the international community is resolved and unified to prevent its acquisition of a nuclear weapons capability and to counter its defiance of its international nuclear obligations.

¶4. (U) ACTION REQUEST: Posts are requested to provide appropriate host government interlocutors with a copy of the text of UNSCR 1835 and the non-paper in paragraph 6 outlining the Chapter VII sanctions that have been adopted by the UNSC on Iran to date. Posts should reinforce that the robust implementation of these measures is critical so as to ensure that Iran is compelled to comply with its UNSC, IAEA, and NPT obligations. Posts should emphasize that UNSCR 1835 was adopted by consensus and demonstrates that the international community is resolved and unified in its efforts to prevent Iran's acquisition of a nuclear weapons capability.

¶5. (U) BEGIN TEXT OF UNSCR 1835

The Security Council,

Taking note of the September 15, 2008 Report by the Director General of the International Atomic Energy Agency on the Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions (GOV/2008/38),

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT),

(1) Reaffirms the Statement of its President, (-S/PRST/2006/15), of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006, its resolution 1747 (2007) of 24 March 2007, and its resolution 1803 (2008) of 3 March 2008;

(2) Takes note of the 3 March 2008 Statement of the Foreign Ministers of China, France, Germany, the Russian Federation, the United Kingdom, the United States of America, with the support of the High Representative of the European Union, describing the dual-track approach to the Iranian nuclear issue,

(3) Reaffirms its commitment within this framework to an early negotiated solution to the Iranian nuclear issue and welcomes the continuing efforts in this regard;

(4) Calls upon Iran to comply fully and without delay with its obligations under the above mentioned resolutions of the Security Council, and to meet the requirements of the IAEA Board of Governors;

(5) Decides to remain seized of the matter.

END TEXT OF UNSCR 1835

¶6. (U) BEGIN U.S. NON-PAPER

-- On 27 September 2008, the UN Security Council voted unanimously to adopt resolution 1835. The Security Council's action and the expedited manner in which it was taken makes clear that Iran's nuclear weapons ambitions remain both a serious concern and a priority issue for the international community.

-- This resolution sends a strong signal of continued international resolve and unity in our goal of preventing Iran from developing a nuclear weapons capability.

-- UNSCR 1835 underscores Iran's requirement to cooperate fully with the International Atomic Energy Agency (IAEA), as well as Iran's legally-binding obligation to suspend its uranium enrichment, reprocessing and heavy water-related activities without further delay.

-- The passage of UNSCR 1835 reiterates the commitment of the P5+1 to the dual-track strategy, despite Iran's repeated rejection of P5+1 incentives.

-- UNSCR 1835 also reaffirms the previous resolutions adopted by the UN Security Council on Iran and the sanctions that three of these imposed upon Iran. These targeted sanctions restrict a range of Iranian activities and interactions with the international community in order to increase the pressure on Iran's leadership to seek the path of negotiations and cooperation, rather than continue with its policy of defiance.

-- Below is a summary description of the measures related to Iran's nuclear program adopted by the UN Security Council to date and the requirements that they impose on UN Member States.

-- The United States urges all UN Member States to implement these provisions robustly in order to support a diplomatic resolution to international concerns with Iran's nuclear program.

TECHNOLOGY TRANSFERS

-- States are required to take the steps necessary to prevent the transfer to Iran of all items controlled by the Nuclear Suppliers Group (NSG), except:

---- Equipment in section B.1 of Part 1 of the Guidelines, when intended for use in light water reactors;

---- Low enriched uranium when it is incorporated in assembled nuclear fuel elements for light water reactors; and,

---- Dual-use items when necessary for IAEA technical cooperation projects with Iran or for exclusive use in light water reactors.

-- Note: although cooperation on light water reactors is

exempted in the UNSCRs, the United States remains concerned that such cooperation presents a risk of diversion to prohibited activities.

-- States are also required to prevent the transfer to Iran of dual use items, even if not controlled by the NSG, if the state determines that they would contribute to Iran's proliferation sensitive nuclear activities.

-- States are required to take the steps necessary to prevent the transfer to Iran of all items controlled by the Missile Technology Control Regime (MTCR).

-- States are similarly required to prevent any technical assistance or training to Iran that would enable it to engage in uranium enrichment-related, reprocessing, or heavy water-related activities, or those associated with its development of nuclear weapon delivery systems.

-- Iran is prohibited from transferring items controlled by the NSG and MTCR abroad.

FINANCIAL SANCTIONS

-- States are required to freeze the assets of those individuals and entities identified in UNSCRs 1737, 1747 and 1803, including, notably, Iran's Bank Sepah.

-- States are required to prevent the provision of any financial assistance, investment, brokering or other services, and the transfer of financial resources and services that would facilitate its proliferation sensitive nuclear activities or development of nuclear weapon delivery systems.

-- States are called upon to not enter into new commitments for grants, financial assistance, and concessional loans to the Government of Iran, except for humanitarian purposes.

-- States are called upon to exercise vigilance in entering into new commitments for public-provided support for trade with Iran, including granting of export credits, guarantees, or insurance to their nationals and entities involved in such trade.

-- States are called upon to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular Bank Melli and Bank Saderat, and their branches and subsidiaries abroad.

TRAVEL RESTRICTIONS

-- States are called upon to exercise vigilance and restraint in permitting the travel of designated individuals in UNSCRs 1737, 1747, and 1803.

-- States are prohibited from permitting the travel of the following individuals, unless approved by the UNSC Iran Sanctions Committee on humanitarian grounds:

---- Mohammad Qannadi, AEOI Vice President for Research and Development;

---- Dawood Agha-Jani, Head of the Pilot Fuel Enrichment Plant (Natanz);

---- Behman Asgarpour, Operational Manager (Arak Heavy Water Research Reactor);

---- Seyed Jaber Safdari, Manager of the Natanz Enrichment Facilities; and,

---- Amir Rahimi, Head of the Esfahan Nuclear Fuel Research and Production Center.

ARMS-RELATED PROVISIONS

-- Iran is prohibited from transferring any arms or related materiel.

-- States are called upon to exercise vigilance and restraint in the sale or transfer of arms contained in the UN Register on Conventional Arms to Iran.

INSPECTIONS

-- States are required to take necessary measures to prevent the transfer to Iran of proscribed items as defined by UNSCRs 1737 and 1803, as discussed in the section on Technology Transfers.

-- States are also called upon to conduct inspections of cargoes to and from Iran when being transported by the Islamic Republic of Iran Shipping Lines or Iran Air Cargo, provided there are reasonable grounds to believe that the aircraft or vessel involved is transporting proscribed goods.

END U.S. NON-PAPER

¶7. (U) Posts are requested to report any substantive responses by 3 October 2008. Richard Nephew (ISN/RA, 202-736-4730, NephewRM@state.sgov.gov), Heather Von Behren (IO/T, 202-647-2753, VonBehrenHW@state.sgov.gov) and Victoria Taylor (NEA/IR, 202-647-2516, TaylorVJ@state.sgov.gov) are the Department's POCs for this activity.

¶8. (U) Minimize considered.

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End Cable Text